IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 5804 of 2007

DATED: 29.3.2007

Between:

N.Gopal petitioner

And

The Government of A.P.,
Agriculture & Cooperation (Coop V) Dept
Secretariat, Hyderabad
Rep by its Principal Secretary & ors Respondents

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 5804 OF 2007

ORAL ORDER:

This writ petition is filed seeking the relief as under;

> "….declaring the action of the Yacharam Primary Agricultural Cooperative Society Ltd, TB No. 141, yacharam Mandal, Ranga Reddy district, represented by its President i.e., 7th respondent in non-payment of salaries w.e.f. 1-1-2003 to the petitioner and not allowing him to work in the society besides the action of the 4th respondent in not ensuring payment of salary due to the petitioner as highly arbitrary, inhuman, illegal without application of mind, violative of cardinal principles of the natural justice, besides being hitting Article 14 & 21 of Constitution of India and consequently direct the 7th respondent society to pay the salaries due to the petitioner together with interest at bank rate for delayed payment of salary and continue to pay salary in future by allowing him to attend to his duties…"

Today, when the matter is taken up, learned Government Pleader for Cooperation taken an objection with regard to maintainability of writ petition and placed reliance on a judgment of this Court in **S r i Konaseema Cooperative Central Bank Limited Vs. N.Seetharama Raju case**[1]. It is further submitted that the judgment in **Sri Konaseema Cooperative Central Bank Ltd,** case was referred to full bench in W.P. No. 3371 of 1998 and the full bench on

consideration of the matter was by order dated 22.7.2005 held that there is no reason to reconsider the judgment in **Sri Konaseema Cooperative Central Bank Ltd.** The operative portion of the judgment in W.P. No. 3371 of 1998 reads as under;

> "In view of the above mentioned background, we do not see any reason to reach a conclusion that the decision of the Full Bench in Sri Konaseema Cooperative Central Bank Ltd's case (1 supra) requires a reconsideration. The reference is answered accordingly. We direct the Registry to place the writ petition before the appropriate Bench for further orders on the merits of the case."

Hence, in view of the judgment of this Court in **Sri Konasema Cooperative Central Bank Ltd,** and the judgment of the full bench in W.P. No. 3371 of 1998 dated 22.7.2005, the writ petition is not maintainable. Accordingly, the writ petition is dismissed. No costs.

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N.V.RAMANA,J

DATE: 29.3.2007
TVK

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[1] AIR 1990 AP 171